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**FACSIMILE TRANSMITTAL SHEET AND  
CERTIFICATE OF TRANSMISSION UNDER 37 CFR 1.8****TO: Examiner Jacqueline F. Stephens - United States Patent and Trademark Office**

Fax No. 703-872-9306

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*I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office on August 24, 2004, to the above-identified facsimile number.*

Marcia Mueller (Signature)

**FROM: Marcia A. Mueller (Typed or printed name of person signing Certificate)**

Fax No. 513-626-3004

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Listed below are the item(s) being submitted with this Certificate of Transmission:\*\*

Number of Pages Including this Page: 9

- 1) Transmittal Amendment (1 page)
- 2) Response Amendment (7 pages)
- 3)
- 4)
- 5)

Inventor(s): Gary Dean LaVon et al.

S.N.: 09/911,108

Filed: July 23, 2001

Case: 6567CR

Comments:

**\*\*Note:** Each paper must have its own certificate of transmission, OR this certificate must identify each submitted paper.

**OFFICIAL**IN THE UNITED STATES PATENT & TRADEMARK OFFICE  
RESPONSE/AMENDMENTMail Stop Amendment  
COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, VA 22313-1450**RECEIVED  
CENTRAL FAX CENTER****AUG 24 2004**

Dear Sir:

Transmitted herewith is an AMENDMENT for the patent application:

Application No. : 09/911,108  
 Applicant(s) : Gary Dean LaVon et al.  
 Filed : 23 July 2001  
 Title : Absorbent Article Comprising A Material Having A High Vertical Wicking Capacity  
 TC/A.U. : 3761  
 Examiner : Jacqueline F. Stephens  
 Conf. No. : 4986  
 Docket No. : 6567CR  
 Customer No. : 27752

1. ☒ No additional fees (claims fees or extension fees) are known to be required.  
 2. ☐ The fee has been calculated as shown below:

	(Col. 1)		(Col. 2)	(Col. 3)	OTHER THAN A SMALL ENTITY	
	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NO. PREVIOUSLY PAID FOR	PRESENT EXTRA*	RATE	FEE
TOTAL	* 18	MINUS	** 20	= 0	x \$18 =	\$0.00
INDEP.	* 1	MINUS	*** 3	= 0	x \$86 =	\$0.00
FIRST PRESENTATION OF MULTIPLE DEP. CLAIM					+ \$290 =	\$0.00
					TOTAL	\$0.00

\* If the entry in Col. 1 is less than the entry in Col. 2, write "0" in Col. 3.

\*\* If the highest number of total claims previously paid for is less than 20, write "20" in this space.

\*\*\* If the highest number of independent claims previously paid for is less than 3, write "3" in this space.

The "Highest Number Previously Paid For" (Total or Independent) is the highest number found from the equivalent box in Col. 1 of a prior amendment or the number of claims originally filed.

3. ☐ The Commissioner is hereby petitioned under 37 CFR §1.136(a) to grant any extension of time needed for timely response to the Office Action dated in the above-identified application to preserve pendency of said application. The processing fee under 37 CFR §1.17 has been determined as follows: \$ for a -month extension of time.
4. The Director is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 16-2480. A duplicate copy of this sheet is attached.
- a. ☒ Any patent application processing fees under 37 CFR §1.16.  
 b. ☒ Any patent application processing fees under 37 CFR §1.17.
5. The Director is hereby authorized to make any additional copies of this sheet needed to accomplish the purposes provided for herein and to charge any fee for such copies to Deposit Account No. 16-2480.

*Michael P. Hayden*  
 Michael P. Hayden  
 Registration No. 48,433  
 Tel. No. (513) 626-5800

Date: 24 August 2004  
 Customer No. 27752  
 (6567CR.Transamd)

Application No. 09/911,108  
Reply dated 24 August 2004  
Responsive to Office Action mailed 29 June 2004

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## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

**RECEIVED  
CENTRAL FAX CENTER****AUG 24 2004**

Application No.: 09/911,108  
Inventors: Gary Dean LaVon *et al.*  
Filed: 23 July 2001  
Art Unit: 3761  
Examiner: Jacqueline F. Stephens  
Docket No.: 6567CR  
Confirmation No.: 4986  
Customer No.: 27752

Title: Absorbent Articles Comprising A Material Having A High Vertical Wicking Capacity

REPLY TO OFFICE ACTION

Commissioner for Patents  
Alexandria, VA 22313-1450

In response to the Office Action mailed on 29 June 2004, further examination and reconsideration is hereby respectfully requested in view of the following amendments and remarks.

Amendments to the description begin on page 2 of this paper.

Remarks begin on page 3 of this paper.

Application No. 09/911,108  
Reply dated 24 August 2004  
Responsive to Office Action mailed 29 June 2004

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**AMENDMENTS TO THE DESCRIPTION**

Please replace the paragraph beginning on page 15 at line 3 of the application as originally filed with the following rewritten paragraph (this paragraph was also previously amended).

The polymeric foams can be prepared in the form of collapsed (i.e. unexpanded), polymeric foams that, upon contact with aqueous fluids, expand and absorb such fluids. See, for example, U.S. Patent 5,650,222 issued 22 July 1997 and U.S. Patent 5,387,207. These collapsed polymeric foams are usually obtained by expressing the water phase from the polymerized HIPE foam through compressive forces, and/or thermal drying and/or vacuum dewatering. After compression, and/or thermal drying/vacuum dewatering, the polymeric foam is in a collapsed, or unexpanded state. Non-collapsible foams, such as those described in copending U.S. Patent Application Serial No. 08/542,497, now U.S. Patent 5,849,805 issued 15 December 1998, and U.S. Patent 5,260,345 are also useful as the distribution material.

Please replace the paragraph beginning on page 27 at line 9 of the application as originally filed with the following rewritten paragraph.

The foams described above with respect to the distribution component of the present absorbent articles are also useful as the storage component of the articles. Particularly preferred are collapsible polymeric foam materials that, upon contact with aqueous fluids (in particular aqueous body fluids such as urine), can expand and absorb these fluids. These absorbent polymeric storage foam materials comprise a hydrophilic, flexible, nonionic polymeric foam structure of interconnected open-cells as disclosed in, for example, U.S. Patent 5,387,207 (Dyer et al.), issued February 7, 1995, and copending U.S. Patent Application No. 08/563,866 (DesMarais et al.), filed November 25, 1995, now U.S. Patent 5,650,222 issued 22 July 1997, the disclosure of each of which is hereby incorporated by reference.